

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

DON NELL HAWKINS,	:	Case No. 1:20-cv-128
	:	
Plaintiff,	:	Judge Timothy S. Black
	:	
vs.	:	Magistrate Judge Karen L. Litkovitz
	:	
AUSA ROBERT J. PATTON,	:	
	:	
Defendant.	:	

**DECISION AND ENTRY  
ADOPTING THE REPORT AND RECOMMENDATION OF  
THE UNITED STATES MAGISTRATE JUDGE (Doc. 4) AND  
TERMINATING THIS CASE IN THIS COURT**

This case is before the Court pursuant to the Order of General Reference to United States Magistrate Judge Karen L. Litkovitz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings and, on April 1, 2020, submitted a Report and Recommendation, recommending that this action be dismissed without prejudice and the complaint be refiled in the United States Court of Appeals for the Sixth Circuit. (Doc. 4). No objections were filed.

As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the filings in this matter. Upon consideration of the foregoing, the Court finds that the Report and Recommendation should be and is hereby adopted in its entirety.

Accordingly:

1. The Report and Recommendation (Doc. 4) is **ADOPTED**.

2. This action is hereby **DISMISSED** without prejudice and the complaint shall be refiled in the United States Court of Appeals for the Sixth Circuit.
3. The Clerk shall enter judgment accordingly, whereupon this action is **TERMINATED** upon the docket of this Court.

**IT IS SO ORDERED.**

Date: 10/2/2020

*s/Timothy S. Black*

Timothy S. Black  
United States District Judge